

House File 241 - Introduced

HOUSE FILE _____
BY BERRY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning the power of local authorities to limit the
2 issuance of liquor control permits and licenses within certain
3 areas.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1376HH 83
6 ec/nh/14

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1 1 Section 1. Section 123.32, subsection 2, Code 2009, is
1 2 amended to read as follows:
1 3 2. ACTION BY LOCAL AUTHORITIES.
1 4 a. The local authority shall either approve or disapprove
1 5 the issuance of a liquor control license, retail wine permit,
1 6 or retail beer permit, shall endorse its approval or
1 7 disapproval on the application and shall forward the
1 8 application with the necessary fee and bond, if required, to
1 9 the division. There is no limit upon the number of liquor
1 10 control licenses, retail wine permits, or retail beer permits
1 11 which may be approved for issuance by local authorities.
1 12 b. A local authority may disapprove the issuance of a
1 13 liquor control license, retail wine permit, or retail beer
1 14 permit, pursuant to an ordinance adopted by the local
1 15 authority, that limits the number of liquor control licenses,
1 16 retail wine permits, or retail beer permits which may be
1 17 approved by the local authority within residential
1 18 neighborhoods or within certain distances from schools, child
1 19 care facilities, parks, or other areas where children
1 20 congregate. The ordinance shall list the criteria for
1 21 limiting the number of liquor control licenses, retail wine
1 22 permits, or retail beer permits.

1 23 EXPLANATION
1 24 This bill authorizes local authorities to disapprove the
1 25 issuance of a liquor control license, retail wine permit, or
1 26 retail beer permit if the local authority has adopted an
1 27 ordinance limiting the number of licenses or permits which may
1 28 be approved within residential neighborhoods or within certain
1 29 distances from schools, child care facilities, parks, or other
1 30 areas where children congregate. The bill provides that the
1 31 local authority shall establish, by ordinance, the criteria
1 32 for limiting the number of licenses or permits.
1 33 LSB 1376HH 83
1 34 ec/nh/14